



For Immediate Release

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### Regulators Fail to Protect Public Interest in Pipeline Process

The Federal Energy Regulatory Commission (FERC) held a scoping meeting in Nelson County on Mar. 18 for affected landowners and the wider community to help define the “scope,” or range, of pipeline impacts that need to be considered in the regulatory process. FERC held a similar meeting the next night in Stuart’s Draft. Since the meetings, attendees have filed numerous comments on FERC’s online comment forum and with legislators alleging that the meetings were biased to amplify the voices of those in favor of the Atlantic Coast Pipeline.

“FERC’s scoping meeting in Nelson illustrates exactly what so many affected communities around the country have been saying: FERC is an independent governmental agency, funded by the industry it regulates, with no accountability - nor, in their eyes, responsibility to the public,” says Joanna Salidis, President of Friends of Nelson, a group working to oppose Dominion’s pipeline.

Public comments filed with FERC under the Atlantic Coast Pipeline docket from those who attended the meeting in Stuart’s Draft or Nelson indicate that both evenings a pro-pipeline dinner was catered for supporters at the meeting venue starting at 5 p.m., thus encouraging supporters to sign up earlier than those not invited to the dinner.

“Sarah McKinley, the FERC external affairs officer, told me that sign ups to speak would start ‘shortly before 7,’ but they actually were opened hours earlier than that,” says Salidis, speaking specifically of the Nelson meeting. “People who showed up shortly before 7 were too far back in the line up to speak. Pro-pipeline supporters signed up more than an hour before the meeting began, allowing them to dominate the first hour of the meeting, when the media was present, and skewing the numbers heard in favor that evening because supporters were not randomly distributed. Not a single person after the first 20 spoke in favor of the pipeline.”

At the Nelson meeting, 203 people signed up to speak, but time allowed for only 78 to provide comments. Two hundred and three is an underestimation of the number of people who would have liked to speak, because workers at the sign in table told potential speakers that they would be unlikely to be heard due to time constraints.

Public comments filed with FERC also make it clear that some people were allowed to sign up others to speak while other people were not allowed to sign up anyone but themselves. For example, Susan McSwain, a Nelson County resident, commented that she spoke to a pipeline supporter she knew the day following the meeting to ask why his name had been called to speak, but he did not step forward. He responded that he had not gone to the meeting at all. However, when she tried to sign up someone who was coming to the meeting later, she was told that no one was allowed to sign anyone else up to speak.

“If this sham of a meeting is any indication of what FERC thinks of the public, then (FERC) should be disbanded,” she says in her comment to FERC. McSwain further states “Public meetings engage a broader segment of the public than input limited to written comments. They are particularly important for those, like many in Nelson, without internet access. Public meetings like the scoping meeting are also essential for community members to hear and learn from each other. They are vital to a transparent process. Written comments are no substitute. FERC should schedule an all-day Meeting in Nelson to allow anyone who was denied the opportunity to speak on March 18<sup>th</sup> their right to speak.”

Many property owners on the proposed path of the pipeline were very angry that so many were unable to speak, particularly in light of the apparent bias towards pipeline supporters. “I told a FERC representative that night, David Hanobic, that FERC needed to provide a second public meeting for those who wished to speak,” Salidis continued. “He said that we were lucky to get a

public meeting at all since the National Environmental Policy Act that governs the scoping process does not mandate public meetings and some government agencies don't offer them. When I responded that those agencies don't have the extraordinary power of eminent domain, he claimed that FERC didn't either – rather they just gave that authority to transmission companies like Dominion. As a property owner on the path of the proposed pipeline threatened with the forcible taking of my property, I really resent this attempt to dodge taking responsibility for the power they yield over property owners.”

Friends of Nelson continues to call on FERC and legislators to support a fair, thorough, transparent public process by extending the scoping period, offering another scoping meeting, and rigorously analyzing both the proposed pipeline's need and alternatives. Friends of Nelson had filed comments with FERC in early March asking for an extension of the period and a postponement of the meeting due to the fact that over 100 property owners in Nelson had been put on the route a few days before the period and meeting were announced. They have also sent letters to legislators asking that they weigh in with FERC to support these requests. “We hear a lot from FERC about their role in ‘mitigating’ impacts – but what we want is a process that honestly weighs public benefit against harm. Nelson and Augusta's scoping meetings are a perfect example of why we cannot assume this will happen,” says Ernie Reed, of Friends of Nelson. “Legislators have the responsibility to hold FERC accountable.”

In response, Virginia Senator Mark Warner has sent a letter to FERC Chairman LaFleur questioning its policies and procedures (see attached). And in Augusta County, the Board of Supervisors has passed a resolution petitioning FERC to hold a second public meeting at which all citizens' voices can be heard.

“The FERC's shameful display of contempt for public participation at the scoping meeting last week shows that we need help to be heard,” says Sharon Ponton, Blue Virginia blogger and an organizer with Free Nelson, a second group fighting for justice in Nelson. “We've asked our legislators for specific help, and we don't want back platitudes and form letters. The meeting really highlighted that the process is stacked against landowners and communities. ”

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